

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 12, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

THOMAS WILLIAM SINCLAIR
RICHEY,

Plaintiff,

v.

J. AIYEKU; L. YOUNG; and K.
WALKER,

Defendants.

NO: 4:16-CV-5047-RMP

ORDER TO SHOW CAUSE

On April 3, 2017, Defendant J. Aiyeku notified this Court of her appeal of the Court's order granting Plaintiff Thomas Richey's motion for summary judgment and denying Defendant's cross-motion for summary judgment to the Ninth Circuit Court of Appeals. *See* ECF Nos. 57, 60. Rather than schedule proceedings to resolve the outstanding issue of damages, to promote efficiency and economy, the Court awaited resolution of Defendant's appeal.

As of February 14, 2019, the Court of Appeals had stayed Defendant's appeal until the United States Supreme Court resolved a petition for writ of

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1 certiorari in a related case from the Western District of Washington. ECF No. 66.

2 On July 3, 2019, Plaintiff notified this Court of the Supreme Court's denial of

3 discretionary review. ECF No. 67. Moreover, Plaintiff requests that this Court

4 now schedule proceedings to resolve any outstanding issues in the present matter.

5 *Id.*

6 Accordingly, **IT IS HEREBY ORDERED** that **no later than July 26,**

7 **2019**, Defendant shall file any response to Plaintiff's request to establish a trial

8 schedule, and the Court promptly will determine whether to set a trial scheduling

9 conference after that date.

10 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this

11 Order, provide copies to counsel and Plaintiff at his last known address, and set a

12 case management deadline for July 29, 2019.

13 **DATED** July 12, 2019.

14 *s/ Rosanna Malouf Peterson*

15 ROSANNA MALOUF PETERSON

16 United States District Judge